

**STATEMENT OF BASIS (AI No. 19531)**

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0000876 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** St. Bernard Port, Harbor, and Terminal District  
Chalmette Terminal  
Post Office Box 1331  
Chalmette, Louisiana 70044

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Michelle Bickham

**DATE PREPARED:** April 19, 2007

**1. PERMIT STATUS****A. Reason For Permit Action:**

Permit reissuance of an expired Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

**B. LWDPS permit - (WP0582)**  
LWDPS permit effective date: October 15, 1992  
LWDPS permit expiration date: October 14, 1997

**C. LPDES permit - (LA0000876)**  
LPDES permit effective date: May 1, 2001  
LPDES permit expiration date: April 30, 2006  
LPDES permit modification date: February 12, 2003

**C. Date Application Received:** March 22, 2007

**2. FACILITY INFORMATION****A. FACILITY TYPE/ACTIVITY - port and harbor terminal**

The St. Bernard Port, Harbor, and Terminal District is an existing port, harbor, and terminal. The facility is comprised of 216 acres of the former Kaiser Aluminum Chalmette Works Plant. The Port leases out portions of the site to various tenants whose industrial and sanitary wastewater and stormwater runoff contributes to the final discharge from the Port. Calciner Industries and Boasso America Corporation are currently permitted to discharge industrial wastewater into the Port's 10-acre retention pond where it is treated along with all other wastewater from the port by sedimentation prior to being discharged.

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B. FEE RATE

1. Fee Rating Facility Type: Minor
2. Complexity Type: II
3. Wastewater Type: III
4. SIC code: 4491

C. LOCATION - 9000 W. St. Bernard Highway, Chalmette, St. Bernard Parish  
Latitude 29°56'13", Longitude 89°59'05"

3. OUTFALL INFORMATION

Outfall 002

Discharge Type: stormwater runoff combined with treated sanitary from  
Outfall 107 and previously monitored wastewater from  
Calciner Industries (LA0081353) and Boasso America  
Corporation (LA0117099)  
Treatment: sedimentation (10-acre retention pond) Note:  
wastewaters from the facilities are treated prior to  
reaching the retention pond  
Location: at the point of discharge from the retention pond  
discharge pump (Latitude 29°56'08", Longitude 89°59'18")  
Flow: 4.6 mgd  
Discharge Route: Mississippi River

Outfall 107

Discharge Type: treated sanitary wastewater  
Treatment: activated sludge and sedimentation  
Location: at the point of discharge from the activated sludge  
treatment plant (Latitude 29°56'01", Longitude  
89°58'54")  
Flow: 0.104 mgd  
Discharge Route: through Outfall 002 thence to the Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation  
b. secondary contact recreation  
c. propagation of fish and wildlife  
d. drinking water supply

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## 5. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

Changes from Previous Permit:

The permit for this facility is being issued as a minor permit.

Outfall 002 - Biomonitoring requirements have been removed from this outfall.

Outfall 107 - Veolia Water (formerly Modular Environmental Technologies) no longer discharges industrial wastewater through this outfall as it is now disposed of off-site (Note: stormwater runoff from Veolia is from runoff from the building roof and parking lot only and is routed through Outfall 002 along with other stormwater at the port); because industrial wastewater is no longer discharged from this outfall leaving only sanitary wastewater, fluoride, COD, and pH limits have been removed from this outfall

## 6. COMPLIANCE HISTORY/COMMENTS

There have been no recent inspections of the facility.

DMR Review/Excursions

A DMR report was pulled from PCS. Fluoride was not sampled for two months, March and April 2006. The excursions found were as follows:

<u>Date</u>	<u>Parameter</u>	<u>Outfall</u>	<u>Reported Value</u>	<u>Permit Limits</u>
1/05	Fecal Coliform	107	515 col	400 col/100 mL
2/05	TSS	107	51 mg/L	45 mg/L
4/06	Fecal Coliform	107	4200 col	400 col/100 mL
7/06	Fecal Coliform	107	39,400 col	400 col/100 mL
9/06	Fecal Coliform	107	5700 col	400 col/100 mL

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## 7. EXISTING EFFLUENT LIMITS

Outfall 002 - stormwater runoff, previously monitored treated sanitary wastewater, and previously monitored wastestreams from Calciner Industries, Inc., and Boasso America Corp.

Parameter	LPDES	
	Monthly Average	Daily Maximum
Flow - mgd	Report 1/mo Est.	Report 1/mo Est.
TSS	---	200 mg/L 1/6 mos Grab
Oil & Grease	---	15 mg/L 1/mo Grab
TOC	---	50 mg/L 1/mo Grab
pH	6.0 - 9.0 s.u. 1/mo Grab	

### Biomonitoring Requirements:

Acute static renewal 48-hour  
 definitive toxicity test  
 using Daphnia pulex 1/6 months

Acute static renewal 48-hour  
 definitive toxicity test  
 using fathead minnow (Pimephales  
 promelas) 1/year

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Outfall 107 - treated sanitary wastewater and treated industrial wastewater  
 from Modular Environmental Technologies, Inc.

Parameter	LPDES		
	Monthly Average	Weekly Average	Daily Max
Flow - mgd	Report 1/mo Est.	Report 1/mo Est.	---
BOD	30 mg/L 1/mo Grab	45 mg/L 1/mo Grab	---
TSS	30 mg/L 1/mo Grab	45 mg/L 1/mo Grab	---
Fecal Coliform	200 col/100 mL 1/mo Grab	400 col/100 mL 1/mo Grab	---
Fluoride	25 mg/L 1/mo Grab	---	50 mg/L 1/mo Grab
COD	---	---	125 mg/L 1/mo Grab
pH	6.0 - 9.0 s.u. 1/mo Grab		

#### 8. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated 9/29/06 from Watson (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon

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the Pallid Sturgeon. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. The more stringent of technology and water quality based limits (as applicable) have been applied to ensure maximum protection of the receiving water.

#### 9. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

#### 10. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

#### 11. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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## Rationale for St. Bernard Port, Harbor, and Terminal District

1. Outfall 002 - stormwater runoff combined with treated sanitary wastewater from 107, and previously monitored wastewater from Calciner Industries (LA0081353) and Boasso America Corporation (LA0117099) (estimated flow is 4.6 MGD)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max (mg/l)	<u>Reference</u>
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Flow	Report:Report	*
TSS	---:200	*
Oil & Grease	---:15	*
TOC	---:50 mg/L	*
pH	6.0 - 9.0 s.u.	*

**Treatment:** sedimentation (10-acre retention pond) Note: industrial wastewaters from the various facilities are treated prior to reaching the retention pond

**Monitoring Frequency:** 1/month for flow, oil & grease, TOC and pH and 1/6 months for TSS at the point of discharge from the retention pond

**Limits Justification:** BPJ and previous permit Note: Documentation pertaining to the downgrade of this facility (rated at 25 points) was sent to EPA on June 29, 2006. As per the EPA Region 6 Post-Third Round Whole Effluent Toxicity Testing Frequencies (Revised June 30, 2000), all major discharges are required to perform Whole Effluent Toxicity testing. However, because this facility is no longer deemed a major facility and there have been no reported failures on biomonitoring tests for the last two years, biomonitoring requirements are being removed from this permit.

2. Outfall 107 - treated sanitary wastewater (estimated flows - 0.104 mgd)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Weekly Avg	<u>Reference</u>
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Flow	Report:Report:---	*
BOD	30 mg/L:45 mg/L:---	*
TSS	30 mg/L:45 mg/L:---	*
Fecal Coliform	200col/100 mL:400 col/100 mL:---	*

**Treatment:** activated sludge treatment plant

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**Monitoring Frequency:** 1/month for all parameters at the point of discharge the activated sludge treatment plant. Flouride, COD, and pH have been removed from this outfall as only sanitary wastewater is being discharged.

**Limits Justification:** BPJ and previous permit

\* Existing permits for similar outfalls  
BPJ Best Professional Judgement  
su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

In accordance with LAC 33:IX.2511.A.1, storm water shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.h, facilities classified as SIC code 4491 are not considered to have storm water discharges associated with industrial activity unless they have "vehicle maintenance shops, equipment cleaning operations, or airport deicing operations." This facility leases out property to various tenants who can or do have vehicle maintenance shops and equipment cleaning operations; therefore, SWP3 requirements are included in the permit.

Therefore, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Narrative Requirement of the permit).

TMDL/303(d) WATERBODIES

The discharges from St. Bernard Port, Harbor, and Terminal District, Chalmette Terminal are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2004 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.